

## Remarks

### Claim Status and Specification

Claims 30-39 remain pending.

Claims 30 and 36-39 stand rejected as being anticipated by US Published application no. US 2004-0078575 A1 (hereafter referred to as “Morten”). Claims 31-35 stand rejected as being unpatentable over U.S. Patent No. 6,397,334 (hereafter referred to as “Chainer”) in view of U.S. Patent No. 6,546,113 (hereafter referred to as “Lucas”).

We respectfully traverse these rejections.

The specification is amended to update patent and publications numbers.

### Claims 30 and 36-39 in view of Morten.

#### *Claim 38*

Claim 38 recites – in combination with other features – receiving a list of content items, *the list consisting of those content items that are to be transmitted through the network during a predetermined time period*, the list of content items being respectively associated with one or more fingerprints derived from the content items themselves.

The office action cites six (6) paragraphs to meet this feature. Please see the office action on page 3, lines 19-22 (citing paragraphs [0009], [0025], [0030], [0043], [0059], and [0069]). But while these paragraphs may discuss watermarking and fingerprinting – generally – we do not see mention of at least receiving a list of content items, *the list consisting of those content items that are to be transmitted through the network during a predetermined time period*.

Claim 38 further recites – in combination with other features – storing the list of content items in a table or data structure. The Office Action cites paragraphs [0025] and [0030] as meeting this feature. We disagree with this conclusion. Paragraph [0025] merely provides general definitions, and we see no mention of storing the list in a table or data structure in either paragraph.

Claim 38 also recites – in combination with other feature – interrogating the list of content items with a derived fingerprint to identify a content item. The Office Action cites paragraphs [0059] and [0070] as meeting this feature. We disagree. Paragraph [0059] is understood to compare a quality of audio or video content and report on the quality of a consumer experience; and while paragraph [0070] discusses providing

fingerprint traceability information we see no discussion of interrogating the defined list with a fingerprint to identify a content item.

The rejection of claim 38 over Morten should be removed.

#### *Claim 36*

Claim 36 recites – in combination with other features – maintaining a list of content items, the list consisting of those content items that are to be transmitted through the network during a predetermined time period, the list of content items being respectively associated with one or more fingerprints derived from the content items themselves.

The office action cites the same six (6) paragraphs to meet this feature. Please see the office action on page 3, lines 8-11 (citing paragraphs [0009], [0025], [0030], [0043], [0059], and [0069]). But while these paragraphs may discuss watermarking and fingerprinting – generally – we do not see mention of at least maintaining a list of content items, *the list consisting of those content items that are to be transmitted through the network during a predetermined time period*.

Claim 36 further recites – in combination with other features – interrogating the list of content items with a derived fingerprint to identify the monitored content item. The Office Action cites paragraphs [0059] and [0070] as meeting this feature. We disagree. Paragraph [0059] is understood to compare a quality of audio or video content and reporting on the quality of a consumer experience; and while paragraph [0070] discusses providing fingerprint traceability information we see no discussion of interrogating the defined list with a derived fingerprint to identify a monitored content item.

The rejection of claim 36 over Morten should be removed.

#### *Claim 30*

Claim 30 recites – in combination with other features – maintaining a limited list of content items, *the list consisting of those content items that are to be broadcast by the broadcasting network during a predetermined time period*, the limited list of content items being respectively associated with one or more fingerprints derived from the content items themselves.

The office action cites the same six (6) paragraphs to meet this feature. Please see the office action on page 2, last paragraph (citing paragraphs [0009], [0025], [0030],

[0043], [0059], and [0069]). While these paragraphs may discuss watermarking and fingerprinting – generally – we do not see mention of at least maintaining a limited list of content items, *the list consisting of those content items that are to be broadcast by a broadcasting network during a predetermined time period.*

Claims 30 further recites – in combination with other features – interrogating the limited list of content items with the fingerprint to identify the monitored content item. The Office Action cites paragraphs [0059] and [0070] as meeting this feature. We disagree. Paragraph [0059] is understood to compare a quality of audio or video content and reporting on the quality of a consumer experience; and while paragraph [0070] discusses providing fingerprint traceability information we see no discussion of interrogating the defined list with a derived fingerprint to identify a monitored content item.

The rejection of claim 30 over Morten should be removed.

Claims 31-35 in view of Chainer and Lucas.

*Claim 31*

Claim 31 recites – in combination with other features – determining a time stamp associated with video, and providing a digital signature of the video. The digital signature comprises data corresponding to at least a portion of a first frame of the video and data corresponding to at least a portion of a second frame of the video, the digital signature further comprises data corresponding to the time stamp.

The cited Lucas passage is not understood to process a first frame and a second frame in the manner claimed, but rather handles different portions of the *same* frame. See Lucas at Col. 5, lines 21-23 and 31-33.

Moreover, the cited Lucas passage does not discuss a signature comprising data from first and second frames, and data corresponding to a timestamp. Neither are there teachings in Chainer to create a signature including data from first and second video frames and a timestamp.

The references are deficient even if combined as suggested. (We respectfully disagree that the references should be combined as suggested.)

The rejection of claim 31 over Chainer and Lucas should be removed.

*Claim 32*

Claim 32 recites providing geo-location information associated with the video, wherein the digital signature further comprises data corresponding to the geo-location information.

The office action cites Chainer at Col. 1, lines 39-42; Col. 2, lines 58-61 and Col. 4, lines 33-37. None of these passages mention “geo-location information” and none mention a digital signature including data corresponding to geo-location information.

Col. 2, lines 58-61, mentions a “distance,” but this distance is understood to refer to a distance from a camera to an object (see Fig. 4 and col. 2, lines 61-67) and not to a geo-location (e.g., data corresponding to longitude and latitude coordinates).

The rejection of claim 32 over Chainer and Lucas should be removed.

*Claim 33*

Claim 33 recites that the first frame and the second frame are adjacent frames. The Office Action cites Lucas at Col. 5, lines 29-31. As mentioned above, this passage is understood to deal with portions of the same frame, and not portions of different frames.

The rejection of claim 33 over Chainer and Lucas should be removed.

*Claim 34*

Claim 34 recites that the digital signature is carried via a reversible digital watermark.

A fragile watermark is discussed in the specification, page 23, as generally a watermark that can be removed from content without degrading (or without significantly degrading) the content. In some cases, removing a watermark implies restoring content to its unmarked state.

The Office Action cites a so-called “fragile” watermark at Chainer, Col. 4, lines 61-63. The Chainer patent (Col. 4, lines 61-63) defines a fragile watermark as “e.g., watermarks which allow a user to recognize that an image is authentic and that it has not been altered.”

The fragile watermark as define in Chainer seems different than the reversible watermark as discussed in the present specification.

The rejection of claim 34 over Chainer and Lucas should be removed.

We respectfully request an early notice of allowance. In the meantime, the Examiner is invited to contact the undersigned with any questions.

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Respectfully submitted,

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